

REMARKS

Claims 1-40 are pending in the current application. Claims 1, 4, 11, 18, 21, 24, 29 and 34 are independent claims.

35 U.S.C. §103(a) Sladek, Nevo and Kari

Claims 1 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sladek, Nevo and Kari. Applicant respectfully traverses this art grounds of rejection.

Sladek discloses a system for control provisioning of telecommunication services. The Examiner alleges that Sladek discloses “allowing the user to implement service creation and service negotiation without service provider intervention” (page 3 of the Office Action). Sladek states “HLR 62 would then interpret the message and apply its own service logic” (column 10, lines 51-52). As is well-known in this art, the HLR 62 is part of the service provider. Therefore, Sladek cannot disclose or suggest “the service data node allowing the user to implement service creation and service negotiation without service provider intervention” as recited in independent claim 1 (Emphasis Added).

Applicant agrees with the Examiner in that “Sladek fails to disclose a service data node module in direct operative communication with the base station controller and the home location register to coordinate the applications and services supported by the home location register” (page 3 of the Office Action). The Examiner alleges that “[n]evo teaches in an analogous art, that a service data node module in direct operative communication with the base station controller and the home location register to

coordinate the applications and services supported by the home location register” (Page 3 of the Office Action). However, Nevo states that the “MS 40 conveys unstructured supplementary service data (USSD) to the HLR, as indicated by dash lines in figure 5, and the HLR communicates with the SCP via a suitable proprietary interface” (as stated in column 9, lines 35-38). Since the MS 40 communicates with the SCP only through the HLR, Nevo discloses service provider intervention. Therefore Nevo cannot disclose or suggest “allowing the user to implement service creation and service negotiation without service provider intervention” as recited in independent claim 1 (Emphasis Added).

Applicant further agrees with the Examiner in that “the above combination (Sladek, Nevo) fails to disclose a billing manager” (page 3 of the Office Action). The Examiner alleges that Kari discloses a billing manager. However, even if Kari were to teach this particular feature of independent claim 1, Kari is insufficient in overcoming the deficiencies as described above with respect to Sladek and Nevo.

As such, claim 3, dependent upon independent claim 1, is likewise allowable over Sladek, Nevo and Kari at least for the reasons given above with respect to independent claim 1.

Applicants respectfully request that the Examiner withdraw this art grounds of rejection.

35 U.S.C. §103(a) Sladek and Kari

Claims 18-35, 37 and 40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sladek and Kari. Applicants respectfully traverse this art grounds of rejection.

The Examiner alleges that Sladek discloses “comparing the service information and user information with the associated network information” (page 5 of the Office Action). The Examiner indicates that Sladek discloses this feature in column 15, lines 51-63 and column 28, lines 14-33. In column 15, lines 51-63, Sladek discloses a method of changing an HLR maintained subscriber profile. In column 28, lines 14-33, Sladek discloses another method of modifying an HLR maintained subscriber profile. Sladek does not disclose or suggest comparing a request with “network information” as recited in independent claims 18, 24, and 29 and/or comparing service information with “network information” as recited in independent claim 21.

Further, as discussed above, Sladek cannot disclose “allowing a user to select a service by accessing the database without service provider information” as recited in independent claim 34 (Emphasis Added).

The Examiner alleges that Kari discloses “billing for the requested service” (page 5 of the Office Action). However, even if Kari were to disclose this one particular feature, Kari cannot overcome the deficiencies of Sladek as discussed above.

As such, claims 19-20, 22-23, 25-28, 30-33, 35, 37 and 40 are likewise allowable over Sladek and Kari at least for the reasons given above with respect to independent claims 18, 21, 24, 29 and 34.

Applicant respectfully requests the Examiner withdraws his art grounds of rejection.

35 U.S.C. §102(e) Sladek

Claims 4-12 and 14-17 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sladek. Applicants respectfully traverse this art grounds of rejection.

As discussed above, Sladek cannot disclose or suggest comparing a request with “network information” as recited in independent claim 11. Similarly, Sladek cannot disclose or suggest comparing a request with “network information” as recited in independent claim 4.

As such, claims 5-10 and 14-17, dependent upon independent claims 4 and 11, respectively, are likewise allowable over Sladek at least for the reasons given above with respect to independent claims 4 and 11.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. §103(a) Sladek, Kari and Lohtia

Claims 13, 31 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sladek, Kari and Lohtia. Applicants respectfully traverse this art grounds of rejection.

Applicant initially agrees with the Examiner in that Sladek and Kari do not disclose or suggest “Web-based network information” (Page 10 of the Office Action) and/or “content push services” (Page 11 of the Office Action). The Examiner alleges

that Lohtia discloses web-based network information and content for service (Page 10 of the Office Action) and content push services (Page 11 of the Office Action).

Applicant respectfully submits that even if Lohtia were to disclose the above-described features in claims 13, 31 and 38, Lohtia is insufficient in overcoming the deficiencies of Sladek and Kari with respect to independent claims 12, 29 and 34.

As such, claims 13, 31 and 38, dependent upon independent claims 12, 29 and 34, respectively, are likewise allowable over Sladek, Kari and Lohtia at least for the reasons given above with respect to independent claims 12, 29 and 34.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. §103(a) Sladek, Kari and Sarkki

Claim 39 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sladek, Kari and Sarkki. Applicant respectfully traverses this art grounds of rejection.

Applicant initially agrees with the Examiner in that Sladek and Kari do not disclose “transaction based services” (page 11 of the Office Action). The Examiner alleges that Sarkki discloses transaction based services. However, even if Sarkki were to disclose this one particular feature of claim 39, Applicant respectfully submits that Sarkki is insufficient in overcoming the deficiencies of Sladek and Kari as discussed above with respect to claim 34.

As such, claim 39, dependent upon independent claim 34, is likewise allowable over Sladek, Kari and Sarkki at least for the reasons given above with respect to independent claim 34.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. §103(a) Sladek, Nevo, Kari and Bianconi

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sladek, Nevo, Kari and Bianconi. Applicant respectfully traverses this art grounds of rejection.

Applicant agrees with the Examiner in that the combination of Sladek, Nevo and Kari do not teach a database to store quality of services. The Examiner alleges that Bianconi does teach a database to store quality of services. However, Applicant respectfully submits that even if Bianconi were to teach this one particular feature of claim 2, Bianconi insufficient in overcoming the deficiencies of Sladek, Nevo and Kari as discussed above with respect to independent claim 1.

As such, claim 2, dependent upon independent claim 1, is likewise allowable over Sladek, Nevo, Kari and Bianconi at least for the reasons given above with respect to independent claim 1.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

35 U.S.C. §103(a) Sladek, Kari and Bianconi

Claim 36 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sladek, Kari and Bianconi. Applicant respectfully traverses this art grounds of rejection.

Applicant agrees with the Examiner in that the combination of Sladek and Kari does not disclose a database to store quality of services. The Examiner alleges that Bianconi does disclose the database to store quality of services. However, Applicant respectfully submits that even if Bianconi were to disclose this one particular feature of claim 36, Bianconi is insufficient in overcoming the deficiencies of Sladek and Kari with respect to independent claim 34.

As such, claim 36, dependent upon independent claim 34, is likewise allowable over Sladek, Kari and Bianconi at least for the reasons given above with respect to independent claim 34.

Applicant respectfully requests that the Examiner withdraw this art grounds of rejection.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the claims in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Matthew J. Lattig at the telephone number of the undersigned below.

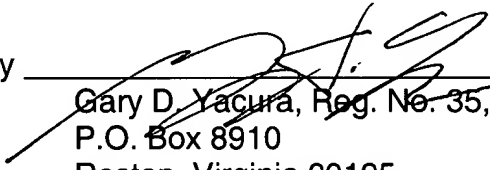
In the event this Response does not place the present application in condition for allowance, applicant requests the Examiner to contact the undersigned at (703) 668-8000 to schedule a personal interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By



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